

Montana Special Purpose Districts
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 for the HB 49 Subcommittee of the Education and Local Government Interim Committee
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District	Creation Can governing body initiate?	Election on creation	Protest	Are there provisions for multi-county or multi-jurisdictional district?	Governance	Powers	Finance	Levy taxes ? (Subject to 15-10-420)	Annexation	Withdrawal of land	Dissolution
Resort Area Districts Title 7, chapter 6, part 15	No. Electors residing in a resort area may create a district by petition. Petition must be signed by at least 10% of the registered voters in the resort area.	Election must be held in conjunction with a regular or primary election.	No provisions. Those opposed to creation may comment at hearing.	Yes. 7-6-1533 outlines requirements.	Resort area district board elected. County commissioners canvass the returns of the first election of the board. After the election and canvass, the board meets as a canvassing board for the resort area district elections.	Powers enumerated in 7-6-1541.	Limited bonding (based on resort tax).	"If the electors of a resort area have established a resort area district, the district board of directors shall appropriate and spend revenue derived from a resort area tax for the purpose stated in the resolution."	No provisions.	No provisions.	After receiving a petition signed by more than 50% of the electors of the resort area district , the board must hold a hearing. After the hearing, the board must submit the question of dissolution to the electors.
Multijurisdictional Service District Title 7, chapter 11, part 11	Established by interlocal agreement, as authorized by ordinance OR established by a petition signed by 15% of the resident property taxpayers of the area proposed for the district in each jurisdiction.	None. Created by ordinance or petition for ordinance.	Within 30 days of the publication of the notice, electors or property owners may protest. If more than 50% of the electors, or the owners of more than 50% of the taxable value of the district protest, the ordinance is void.	Yes. Interlocal agreement.	Administered in accordance with an interlocal agreement among the participating jurisdictions.	Interlocal agreement. Services to be provided are enumerated in 7-11-1102	May appropriate funds derived from other than general tax revenues for the operation of the district.	Yes, local governments authorized to levy property taxes in an amount not to exceed that authorized for the district in the ordinance required for creating the district.	An interlocal agreement may enlarge an existing district, but it may not supersede or void an existing contract or inter-local agreement under which the same service is being provided.	No provisions.	No provisions.
Business Improvement District Title 7, chapter 12, part 11	No. Governing body must create a district upon receipt of petition signed by the owners of more than 60% of the property proposed for inclusion in the proposed district.	None. Governing body approves creation following petition.	Any owner of property that may be assessed may make a written protest within 15 days of the first publication of the notice of resolution of intention. If owners	A district may be composed of noncontiguous areas if the properties in the district have a common purpose of providing overnight stays at lodging facilities.	Board of trustees. No less than 5 and no more than 7 owners of property within the district or their assignees are appointed, with approval of the governing body.	General granting of powers: "The board in administering a district has all powers necessary to carry out the functions of the district contained in the ordinance creating it."	Any obligation or debt is not an obligation or debt of the local government that established the district. Debt is solely payable from funds and properties of the district.	Yes, with governing body. District board submits annual budget and work plan to governing body. Governing body then can modify budget. Governing body	Upon petition signed by the owners of more than 60% of the property proposed to be included in the expansion.	No provisions.	Duration specified in resolution to create district. May not be for a period of more than 10 years unless expanded in compliance with provisions for creation of a district.

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			representing 50% or more of taxable value in proposed district or 50% or more of the overall owners protest no further action can be taken for 1 year.	A governing body of a municipality, a county, or a consolidated city-county government in the proposed district creates or expands district.		Specific powers enumerated . (7-12-1131)		annually assesses the entire cost of the district against the entire district using a method that is equitable in proportion to benefits received.			
Hospital District Title 7, chapter 34, part 21	Not less than 30% of the qualified electors who are property taxpayers must sign a petition. Clerk & recorder certifies petition, submits to county commissioners. County commissioners hold hearing, refer question to electorate by resolution.	County commissioners can determine whether the election is to be a special election or held during the next general election. Electors are those who live within proposed district.	No provisions.	No. "A public hospital district may contain the entire territory embraced within a county or any portion or subdivision thereof."	Managed by a board of 3 to 5 trustees, elected by the electors of the district. If there is no nomination petition filed for election of a trustee, the county commissioners appoint the position. Terms of office, compensation, vacancies are specified.	General granting of powers: "A hospital district has all the powers necessary and convenient to the acquisition, betterment, operation , maintenance, and administration of hospital facilities that its board of trustees considers necessary and expedient." Specific powers are also enumerated. (7-34-2122)	Bonds and notes authorized.	"Subject to 15-10-420, the board of county commissioners shall, annually at the time of levying county taxes, fix and levy a tax on the taxable value of all taxable property within the hospital district." (7-34-2152)	Upon receipt of a petition signed by 10% or more of the freeholders in a proposed area to be annexed or a majority of the freeholders if there are fewer than 25.	Any portion may be withdrawn upon receipt of a petition signed by 51% or more of the taxpayers residing in and owning property in the area desired to be withdrawn from the district. Hearing held and board makes decision.	Any time after 5 years from the date any of creation, the district may be dissolved with a petition signed by 51% of the owners of the property owners in the district.
Rural Improvement District (Counties) Title 7, chapter 12, part 21	Yes. May create special improvement district (RSID) for the purpose of building, constructing or acquiring improvements outlined in 7-12-4102. May order upon petition with the consent of all the	Created by resolution that is noticed.	Within 30 days of publication of notice of the proposed district any owner who may be liable for assessment may make written protest. Action may not be take for 6 months from the date when the protest was received if the	Yes. Board of county commissioners of each county in which any portion of the district is situated involved. (7-12-2121)	County commissioners. In multi-county district, board of three trustees appointed by country commissioners of each county.	Decisions for awarding contracts outlined.	Bonds and warrants. Commissioners may create district reserve account. County may create rural special improvement district revolving fund.	County commissioners assess entire costs of assessments against benefitted lots, tracts, or parcels of land in the district, based on benefits received. Five options for method of assessment.	Yes. ". . . the board may take the expense of such work chargeable upon the lots and lands fronting on the improvement or not fronting on the improvement that" are determined to benefit from the proposed project. (7-12-2108)	Property owner may pay the tax or part of the tax under protest.	Unclear. Reference to 7-12-4102 brings in limitations on assessments.

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	property owners in the proposed RSID. May create RSID covering projects that abut the city limits.		county commissioners find that protest is made by 50% of the total projected assessments for property within the district, or if owners of property representing 50% of the total taxable valuation. Exceptions for sanitary sewer projects (7-12-2112(2)) and condominiums (7-12-2141)								
Special provisions for Districts for Lighting Title 7, chapter 12, part 22 (Counties) Title 7, chapter 12, part 43 (Cities)	County commissioners may enter into a contract with other persons or corporations to provide light to a district under certain circumstances. City or town council may by resolution form district for lighting streets.	Created by resolution that is noticed.	In a city or town, within 15 days of first publication, any property owner liable for an assessment may protest.	No provisions.	County commission or city or town council.	City or town responsibilities enumerated in 7-12-4308.	City may use bonds and warrants.	In county, cost of maintenance and operating service apportioned among various tracts of land in district. City or town council may assess the costs against property in the district	County may change boundaries not more than once a year. City or town may change boundaries not more than once a year. In a city or town, provisions for assessment of costs on lands adjacent to the city or town enumerated in 7-12-4327.	No provisions.	In city or town, if the owners of three-fourths of the total amount of property within the district ask that maintenance and operation cease, city or town by resolution must discontinue the district. However, if the city has entered into a contract the district must continue for the duration of the contract.
Park Maintenance Districts Title 7, chapter 12, part 40	City or town may create upon petition from 10% or more of the qualified electors of proposed district.	Created following petition and resolution.	"must be formed and operated in the same manner as a special improvement district."	"must be formed and operated in the same manner as a special improvement district."	"must be formed and operated in the same manner as a special improvement district."	"must be formed and operated in the same manner as a special improvement district."	"must be formed and operated in the same manner as a special improvement district."	Yes. "must be formed and operated in the same manner as a special improvement district."	"must be formed and operated in the same manner as a special improvement district."	"must be formed and operated in the same manner as a special improvement district."	"must be formed and operated in the same manner as a special improvement district."
Special	Yes. City or town	Created by	Within 15 days of	"A joint resolution	City or town	Duties in accepting	Bonds and	Various options in	Lands that benefit	Property owner	Assessments for no

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Improvement District (Cities) Title 7, chapter 12, part 41	council create district as outlined in 7-12-4102.	resolution that is noticed.	<p>the first publication any property owner who may be liable for assessment can protest.</p> <p>Action may not be taken for 6 months from the date when the protest was received if the county commissioners find that protest is made by 50% of the total projected assessments for property within the district, or the owners in the district to be assessed for more than 50% of the cost of the proposed work.</p> <p>Sanitary sewer exception, unless the owners of property in the district to be assessed for more than 75% of the cost of the district protest.</p> <p>Condominium exceptions.</p>	of the city and county must be passed agreeing to the terms of the special improvement district prior to passing the resolution. . ." (7-12-4102(4))	council.	bids, and contracts enumerated.	warrants. (Title 7, chapter 12, part 42)	assessing costs. 1. Assessed valuation option 2. Frontage option 3. Utility service connection option. 4. Offstreet parking option	from improvements may be annexed. (7-12-4109) If property owners representing 40% or more of total projected assessments against properties outside the city protest, properties may not be included.	may pay the tax or part of the tax under protest.	more than 20 years or 30 years if refunding bonds are issued.
Special provisions for Street Maintenance Districts Title 7, chapter 12, part 44	Yes. City or town council.	Created by resolution that is noticed.	No further action can be taken if protests are made by more than 50% of the property owners, owners of more than 50% of	No provisions.	City or town council.	Manner of providing maintenance enumerated in 7-12-4404.	May accept federal loans or financial assistance.	Assessments for the costs and expenses of maintaining streets, alleys, and public place made against all of the property	No provisions.	No provisions.	No provisions. (Part 45?)

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			the total taxable valuation of property, or owners of property with projected assessments representing no less than 50% of the total projected assessments.					embraced in the district			
Special provisions for Street Parking Districts (Abandonment) Title 7, chapter 12, part 45	City or town council.	Created by resolution that is noticed.	If prior to the resolution hearing date, 40% of the property owners abutting the district protest, the district isn't abandoned.	N/A	City or town council.	N/A	N/A	Following abandonment, property owners are responsible for maintenance.	N/A	N/A	N/A
Fire Hydrant Maintenance Districts Title 7, chapter 12, part 46	Yes. City or town council.	Created by resolution that is noticed.	Within 15 days after the date of the first publication, any property owner who may be liable for the assessment may protest. If the council determines that the owners of a majority of the property protest on the grounds of cost, no further action can be taken on the district for 6 months.	No provisions.	City or town council.	N/A	N/A	Assessment options outlined in 7-12-4611.	No provisions.	No provisions.	No provisions.
Metropolitan Sanitary and/or Storm Sewer District Title 7, chapter 13, part 1	Yes. County commissioners. Approved resolution must be sent to executive head of city or town within the	Created by resolution that is noticed.	Within 30 days of the first publication, any property owner liable to be assessed for the work may protest.	No provisions	County commission.	Responsibilities enumerated in 7-13-112. Duties in accepting bids, contracts same as rural improvement	Bonds or warrants. Reserve fund. Tax levy.	Yes. Assess the entire cost of the improvements against the entire district. May, by resolution, fix and	May change boundaries no more than once a year.	No provisions.	Assessment may not be spread over a period that exceeds 20 years.

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	proposed district for consideration. If city does not concur, the county can not move forward.		If protest is made by the owners of more than 50% of the area in the proposed district , the county can't move forward.			districts.		establish rates, charges and rentals.			
Solid Waste Management Districts Title 7, chapter 13, part 2	Yes. County Commissioners.	Created by resolution that is noticed. If city or town council is included in district, the executive head of the city or town must approve the district.	Within 21 days of the first publication, any property owner liable to be assessed for the work may protest. If protest is made by more than 50% of the family residential units in the proposed district, no further action shall be taken. If protest against the fees proposed to be charged is made by the owners of more than 50% of the family units , the board must hold a hearing to determine an acceptable fee.	Cities and towns may be included in the district if approved by the city or town council.	County commissioners appoint a board of directors.	Board has the powers enumerated in 75-10-112 as well as any additional powers granted in the resolution.	County commission may issue revenue bonds, including refunding bonds, or borrow money. Board establishes fee for service that is assessed on units in the district that are receiving service.	No. (Service charges)	No provisions.	No provisions.	No provisions.
Joint Solid Waste Management Districts Title 7, chapter 13, part 3	Yes. Two or more governing bodies may create district.	Created by resolution.	Protest provisions the same as solid waste management district.	Yes.	Board of directors appointed by county commissioners.	All powers enumerated in 75-10-112.	Revenue bonds and service charges.	No. (Service charges)	No provisions.	No provisions.	No provisions.

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County Water and/or Sewer District Title 7, chapter 13, part 22	No. Petition by 10% of the registered voters of the proposed district or by the owners of all real property in the district.	Election must be held in conjunction with a regular or primary election or by mail ballot. If all real property owners sign petition, no election required.	If 40% of all registered voters residing in district vote, and a majority votes in favor , the district is created. Lawsuit challenging creation of district must be commenced within 1 year after the district is organized.	Yes. More than one county or city and county.	Board of directors elected by district.	General powers enumerated in 7-13-2217-2218.	Bonds. Terms may not exceed 40 years. Election required to incur bond indebtedness. Refunding bonds, revenue or special assessment bonds don't require an election. Rates, fees, and charges.	In lieu of rates and charges, district may levy special assessments to defray the costs against property in the district.	Proposed addition must go before electors in district enumerated in 7-13-2341.	By order of the board of directors following petition of the owners in fee of lands whose assessed value is in excess of one-half of the assessed value of all the lands in the district. Board of directors may initiate an exclusion of land from a district.	Upon petition signed by more than 50% of the freeholders of the district as outlined in 7-13-2351.
Television Districts Title 7, chapter 13, part 25	No. Residents may petition to organize. Petition must be signed by 51% of the registered electors who are residents of the proposed district. Resolution by board of county commissioners required.	No election. County commissioners must hold hearing on petition and adopt a resolution.	Those against creation may protest at the hearing.	Yes. After the examination of the petition, the county clerk and recorder of the county containing the least number of signers, shall transmit the petition to the county clerk and recorder of the county with the most signers.	Board of trustees appointed by county commissioners.	Specific powers of district enumerated in 7-13-2510.	Revenue bonds repaid by rates and charges.	Prescribe tax rates for providing services. County commissioners shall levy tax at request of board.	Procedures outlined in 7-13-2541. Petition signed by 51% of the registered electors in area to be annexed required.	With the approval of the board of trustees, nonbenefitted taxpayers may be exempted.	Upon petition signed by 51% fo the registered electors .
Consolidated Local Government Water Supply and Sewer Districts Title 7, chapter 13, part 30	Yes. Governing body.	Created by resolution that is noticed.	Within 30 days after first publication protest must be made. If protests are received from 50% or more of the owners in the proposed district the governing body may not proceed.	No.	Governing body are ex officio commissioners of the district.	"The governing body is responsible for the proper functioning and maintenance of the system."	Loans, service charges. Federal funding.	Governing body, by resolution may levy and assess a tax upon all property in the district as outlined in 7-13-3017.	May make changes as they "consider reasonable and proper."	May not delete land that creates an island of included or excluded land. May not delete area that is contributing to the pollution of an area.	Payment of assessment may not be spread of a term of more than 20 years.

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Local Water Quality Districts Title 7, chapter 13, part 45	Yes. County commissioners.	Both. Created by resolution that is concurred in by city or town council within the proposed district. Commissioners may adopt a resolution causing a referendum to be submitted to the registered voters residing in the proposed district.	Within 30 days after the first publication protest must be made. If the owners of more than 20% of the fee-assessed units in the proposed district protest, the board is barred from further action UNLESS the board submits a referendum to create the district to the registered voters in the proposed district.	Yes. Joint local water quality districts may encompass two or more counties or part of counties, as outlined in 7-13-4527.	Board of directors appointed by commissioners.	Powers enumerated in 7-13-4517. Additional county commission powers also outlined.	Fee rates established by commissioners.	No provisions.	County, by resolution, may make changes in boundaries. Protest provisions apply.	No provisions.	If 20% or more of owners of fee-assessed units in the district petition requesting a referendum for termination or abolishment of a district, referendum must go before electors in district.
Urban Transportation Districts Title 7, chapter 14, part 2	No. Petition signed by not less than 20% of the registered electors in the proposed district required.	Special election or election in conjunction with regular or primary election or by mail ballot.	No provisions.	Not explicit.	Board of directors. Commissioners and governing bodies of each city or town in the district determine if the board is elected or appointed.	General powers: "all powers necessary and proper to the establishment , operation, improvement, maintenance, and administration of the transportation district."	General obligation or revenue bonds.	May fix and levy a tax in mills upon all property within the district.	Property owner may petition for inclusion. Inclusion must be approved by majority of board.	If area does not receive transportation services from the district and 51% of the qualified voters in the areas sign a petition requesting removal.	If a petition signed by at least 51% of the qualified voters of the district petition county dissolves district.
Local Improvement Districts Title 7, chapter 14, part 27	No. Petition presented to the board by the owners of two-thirds of the lineal feet of land fronting on the proposed or existing road or by two-thirds of the residents of the proposed district.	After receipt of petition and passage of resolution, meeting between county road superintendent, land owners and residents required. Those present at the meeting elect a committee of supervisors (3).	No provisions.	No provisions.	Committee of supervisors.	Not specifically enumerated. Committee awards contracts that are executed in the name and on behalf of the county	Local improvement district bonds.	"The board shall levy and cause to be collected an assessment upon all parcels of land specifically benefitted by the laying out, opening, construction, or improvement."	No provisions.	No provisions.	No provisions.

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Parking Districts Title 7, chapter 14, part 47	No. Petition signed by all of the real property owners in the purposed district , exclusive of mortgages and other lien holders, governing body adopts resolution of intent. (Governing body of a municipality may establish pedestrian malls.)	Additional requirements if special improvement district bonds are proposed to be issued and secured by revolving fund.	Procedures to be followed as are provided for special improvement districts outlined in Title 7, chapter 12, parts 41 through 44.	Procedures to be followed as are provided for special improvement districts outlined in Title 7, chapter 12, parts 41 through 44.	Procedures to be followed as are provided for special improvement districts outlined in Title 7, chapter 12, parts 41 through 44.	Procedures to be followed as are provided for special improvement districts outlined in Title 7, chapter 12, parts 41 through 44.	Bonds. Procedures to be followed as are provided for special improvement districts outlined in Title 7, chapter 12, parts 41 through 44. Additional bond requirements enumerated in 7-14-4716-4723. No improvement bonds.	Procedures to be followed as are provided for special improvement districts outlined in Title 7, chapter 12, parts 41 through 44.	Procedures to be followed as are provided for special improvement districts outlined in Title 7, chapter 12, parts 41 through 44.	Procedures to be followed as are provided for special improvement districts outlined in Title 7, chapter 12, parts 41 through 44. Additional requirements regarding off street parking districts enumerated in 7-14-4737.	Procedures to be followed as are provided for special improvement districts outlined in Title 7, chapter 12, parts 41 through 44. Additional requirements regarding off street parking districts enumerated in 7-14-4737.
Road Improvement Districts Title 7, chapter 14, part 29	County commissioners may establish upon petition of at least 60% of the landowners in the proposed district. County commissioners may establish by resolution, following public hearing and protest. (Unclear if there are two options for creation or if both a petition and resolution are required.)	Resolution must be mailed to all persons with property in proposed district. Must hold a public hearing on resolution and then act on it.	Yes. District is created 60 days after passage of resolution, unless the owners of property in the district to be assessed for more than 50% of the cost of the proposed work protest its creation.	No provisions.	County commissioners.	Not enumerated.	Assessments. Methods of assessments for improvements outlined in 7-14-2907.	No provisions.	County may alter boundaries using the same procedures required for the creation of district.	County may alter boundaries using the same procedures required for the creation of district.	County may dissolve district using the same procedures required for the creation of the district.
** Tax Increment Finance District Title 7, chapter 15 7-15-4282 through 7-15-4292.	Urban renewal plan requirements outlined in 7-15-4216 by resolution. Voter approval required if general obligation bonds	Clerk of municipality must file certified copy of each ordinance with department of revenue.	No provisions.	No provisions.	Municipality, with exceptions for urban renewal.	Enumerated in instances of urban renewal. How tax increments may be used by	Revenue, general obligation bonds.	Yes.	No, exceptions for urban renewal.	No, exceptions for urban renewal.	Tax increment provision terminates upon 15th year following adoption, with additional

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	used. Industrial district ordinance or technology district ordinance require ordinance and hearing.					municipality enumerated.					requirements enumerated.
County Museums, Facilities for the Arts, and Museum Districts Title 7, chapter 16, part 22	Yes. Board of county commissioners.	Created by resolution that is noticed.	Yes. Within 30 days after the first publication, written protest may be made. If the owners of 50% or more of the property liable to be taxed protest, the board may not act for at least 6 months.	Yes. A district may include territory from more than one county as outlined in 7-16-2211(2).	Board of trustees appointed by county commissioners or administered by county commissioners.	Administer county museum fund.	Mill levy.	Yes. County may levy a tax on the taxable valuation of the project subject to taxation for upkeep, care, maintenance, operation, support. "A board of trustees of a museum district may request the board of county commissioners to submit to the voters of the district at the next general or special election a levy on taxable property in the district."	County commissioners may alter the boundaries or dissolve a museum district using the same procedures required for creation of the district.	County commissioners may alter the boundaries or dissolve a museum district using the same procedures required for creation of the district.	County commissioners may alter the boundaries or dissolve a museum district using the same procedures required for creation of the district.
County Parks Districts Title 7, chapter 16, part 24	Yes. Created by resolution of intent adopted by county governing body OR a petition signed by 10% or more of the qualified electors of the proposed district.	Question must be submitted to the electors as provided in 15-10-425.	No provisions.	Yes. Actions outlined in 7-16-2411(3).	Governing bodies appoint park district commission. Members serve until successors are elected. Election of commission held in conjunction with the school elections held pursuant to 20-3-304.	General powers with specific powers enumerated in 7-16-2423.	Bonds. Fee assessed on each household. Tax levy.	Yes.	Boundaries may be enlarged by the annexation of contiguous territory. Must be initiated in the same manner as the creation of the district. Petition requires 15% of the electorate in the territory. Election. Need majority of electorate in	Territory may be withdrawn. Must be initiated in the same manner as the creation of the district. Petition requires 15% of the electorate in the territory. Election. Only the electorate of the territory to be withdrawn may vote on the question.	After an election on the question of dissolving. May be initiated by a petition of 25% of the electorate of the district or by a resolution of intent to dissolve the district adopted by the park commission or the county governing body. Question must be submitted

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									existing district and majority of the territory to be annexed.		to the electorate.
Fair Commission, Multicounty Fair District, Joint Fair Commission Title 7, chapter 21, part 34.	Board of county commissioners may create county fair commission. Upon application from fair commission, county may by resolution create a fair district. Board of county commissioners may create a joint fair and civic center commission by resolution.	Created by resolution, hearing by commission.	No provisions.	Yes. "Two or more counties within the state, constituting a contiguous territory, may group themselves together and form a fair district."	Members of respective county fair commissions appoint a board of directors for the fair district. The members of the county fair commission and county building commission constitute the members of a joint fair and civic center commission.	"The board of directors shall be charged with the care and custody of all property of the district fair. They shall have power to acquire or the benefit of the district such real and personal property as maybe required in connection with the conduct of district fairs."	District Fair Fund	Annual levy by board of county commissioners in the district.	A contiguous county or counties forming a territory contiguous to a fair district may be added under the provisions of 7-21-3421	No provisions.	No provisions.
Weed Management Districts Title 7, chapter 22, part 21	Yes. Mandated by state that every county shall form a weed management district.	Created by resolution, mandate outlined in 7-22-2102.	No provisions.	Yes. "A weed management district may include more than one county through agreement of the commissioners of the affected counties."	Commissioners appoint a district weed board.	Resolution creating a district may outline additional powers and duties beyond those enumerated in 7-22-2109.	Noxious Weed Fund: 1. State and federal funding. 2. Levy and assessment of taxes 3. General fund. 4. Proceeds from work or chemical sales.	Yes.	N/A	N/A	N/A
Rodent Control Districts Title 7, chapter 22, part 22	Upon petition, governing body may create a district. (District may not contain any city or town..) Petition must be signed by 51% of the owners of land	Created upon submission of petition.	If the owners of at least 51% of the land in the proposed district file written objections, the district may not be created.	Yes. A multicounty district may be created according to 7-22-2233.	Rodent control board appointed by commissioners.	Powers and duties established in resolution and enumerated in 7-22-2216.	Rodent control fund.	May levy a tax on the taxable value of the horticultural, farming, grazing, forest, and railroad lands in the district.	May be enlarged upon petition by at least 51% of the owners of land in the area proposed to be annexed.	A landowner may petition the county commissioners to have all or a portion of the land owned by the person removed from consideration for inclusion in the district.	Yes. Upon petition signed by the owners of 51% of the land in the district and after a hearing, the district may be dissolved.

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	in the district.									Landowners must agree in writing to control rodents on that land within a 250-yard buffer zone of the district.	
Mosquito Control Districts Title 7, chapter 22, part 24	Yes. A resolution of intent adopted by the county commissioners OR petition. A petition must be signed by at least 10% of the qualified electors of the proposed district or 10% of the owners of any property within the boundaries.	No election. Created by resolution or after submission of petition.	Yes. Up until the time of the required hearing or at the hearing written protests may be made. If 51% or more of the qualified electors or of the owners of property within the boundaries of the proposed district file written protests, the commission may not proceed.	Yes. Joint mosquito districts may be created or dissolved in the same manner as provided for in the creation of a district. (7-22-2419)	Mosquito control board appointed by commissioners.	Powers and duties established in resolution and enumerated in 7-22-2415.	Mosquito control fund. Instead of a tax, upon an affirmative vote of a majority of the qualified voters in the district, the board may collect an annual fee from the owners of structures that are benefitted. (Both a tax and a fee may not be used.)	May levy a tax on the taxable value of all taxable property situated in the district.	May be enlarged upon petition by at least 25% of the electors within the adjacent land or 25% of the owners of any property lying within the boundaries of the area proposed to be annexed whose names appear as property owners. (Protest provisions)	No provisions.	Upon petition signed by the owners of 51% of the land in the district and after a hearing, the district may be dissolved.
Rural Fire Districts Title 7, chapter 33, part 21	Board of county commissioners may establish in any unincorporated territory, or third-class cities or towns, with some requirements, after receiving a written petition.	Petition must be signed by the owners of 40% or more of the real property in the proposed district and the owners property representing 40% or more of the taxable value of property in the district. Notice of hearing required.	No. However, based on the written request of any real property owner, the boundaries may be altered to add or subtract land adjacent to the proposed boundary line.	District may enter into mutual aid agreements. Two or more rural fire districts may consolidate. (Protest provisions.)	County commissioners may contract with a city, town, or private fire company, other public entity to provide service OR appoint five qualified trustees to govern and manage the fire district. Trustees must be elected following initial terms.	Powers and duties of trustees are enumerated in 7-33-2105.	May borrow money by the issuance of bonds.	Yes.	Annexation of property not contained in a fire district: A petition in writing by the owners of 40% or more of the real property in the proposed area to be annexed and the owners of property representing 40% or more of the taxable value of property in the proposed area to be annexed must be presented to the board of trustees. Protest provisions. Similar for	Withdrawal by owner of individual tract adjacent to municipality.	A petition in writing by the owners of 40% or more of the real property in the district and the owners of property representing 40% or more of the taxable value of property in the area must be presented to the board of trustees.

District	Creation Can governing body initiate?	Election on creation	Protest	Are there provisions for multi-county or multi-jurisdictional district?	Governance	Powers	Finance	Levy taxes ? (Subject to 15-10-420)	Annexation	Withdrawal of land	Dissolution
									annexation of adjacent territory contained in a fire district.		
Cemetery Districts Title 7, chapter 35, part 21	Petition presented to county commissioners. Petition must be signed by not less than 20% of the citizens who are owners of land located in the proposed district and whose names appear as such on the assessment roll.	Election required. A special election must be held in conjunction with a regular or primary election.	No provisions.	No provisions.	Trustees appointed by the board of county commissioners.	Powers and duties established in resolution creating district and general powers enumerated in 7-35-2109.	Bonds, tax levy.	The county commissioners shall annually fix and levy a tax on the taxable value.	A petition signed by 50 or more freeholders within the territory proposed to be annexed must be submitted or a majority of such freeholders if there are less than 100 residing in the area proposed to be annexed. Board makes a decision.	"[O]n the grounds that such a portion will not be benefitted by remaining in said district." Petition signed by 50 or more freeholders residing in or owning property in the portion desired to be withdrawn or a majority of such freeholders if there are less than 100 residing in the portion proposed to be withdrawn.	No provisions.
Library Districts Title 22, chapter 1, part 7	Created by a resolution OR by a petition that is signed by not less than 15% of the qualified electors who reside in the proposed district.	Election required. Only qualified electors residing in the proposed district may vote.	No provisions.	Yes. Provisions also included for consolidation of existing libraries and districts.	Governing body of each county with territory in the district jointly appoint the initial members of a board of trustees. After appointment of the initial members, all must be elected by the electors of district.	General powers, with specific duties and powers enumerated in 22-1-707.	Tax levy.	May establish a property tax mill levy for operation and administration of district. A vote on the question of raising or lowering the maximum property tax mill levy in the district may be initiated by petition or resolution by the board of trustees.	To enlarge a district, the same procedures as those followed to create the district must be taken.	Question of withdrawal must be voted on separately by the electorate of the territory to be withdrawn and the electorate of the balance of the territory of the district. The question fails unless a simple majority of those voting on the question in each of the two territories authorize altering the boundaries.	Dissolved after an election. Process of dissolving may be initiated by a petition of 15% of the electorate in the district or by a resolution adopted by the board of trustees or the governing body of the county in which the district is located.

District	Creation Can governing body initiate?	Election on creation	Protest	Are there provisions for multi-county or multi-jurisdictional district?	Governance	Powers	Finance	Levy taxes ? (Subject to 15-10-420)	Annexation	Withdrawal of land	Dissolution
Livestock Protective Committee Title 81, chapter 6, part 1	Created by petition. Petition must be signed by at least 51% of the owners of cattle in the county, and at least 55% of the cattle in the county must be owned by the petitioners.	No. Created by board of county commissioners.	No provisions.	"The board of county commissioners of any county adjoining a county availing itself of the provision of this part may cooperate in the administration of this part." Joint protective districts outlined in part 2.	County livestock protective committee. Committee also may recommend board of county commissioners appoint a special livestock deputy.	General powers enumerated in 81-6-103.	Fee. May recommend the county impose a fee in an amount not to exceed 50 cents per head on all cattle 9 months of age or older.	No provisions.	No provisions.	No provisions.	Petition signed by at least 51% of the owners of cattle in the county, and at least 55% of the cattle in the county must be owned by the petitioners must be submitted to the county commissioners.
Cattle Protective Districts Title 81, chapter 6, part 2	Created by petition. Petition must be signed by at least 51% of the cattle owners owning 55% off the cattle for the protection of which the district is to be formed residing within the area designated as part of the district in each of the counties affected. Same for single county.	Upon receipt of petition, county commissions must designate the district within 30 days.	No provisions.	Yes.	Cattle Protective Committee. Each county wholly or partially in the district is entitled to three members of the district committee chosen in the same manner as a committee formed under part 1.	Powers the same as those enumerated in part 1.	Fee. May recommend the county impose a fee in an amount not to exceed 50 cents per head on all cattle 9 months of age or older.	No provisions.	No provisions.	In district that includes more than one county, cattle owners may petition to remove the area in its county from a district.	By petition signed by the same number and in the same manner as the petition to form the commission.
Irrigation Districts Title 85, chapter 7, part 1through part 22	Created by petition or in order to cooperate with the United States under federal reclamation laws.	General: Proposed by 60% in number of the holders of title in the district and representing 60% of the acreage of land. In district created in connection with reclamation , a majority of holders of title propose. District court	No provisions.	Yes. Part 16 outlines joint operations. Election required following petition for joint operation of district. Electors are the same as those who elect commissioners of irrigation districts.	General: Board of commissioners elected based on requirements in part 17. Adjudicated streams: Water right owners elect board of trustees consisting of 5 members to serve for 1 year.	General: Powers enumerated in part 14. "The powers conferred in this part are in addition to the power conferred by any other general, special or local law." Additional powers related to acquisition of water and waterworks,	Revenue bonds. Additional requirements on indebtedness, bonds and bankruptcy enumerated in part 20. Additional bonding requires petition.	Part 21 enumerates requirements for taxes and assessments.	Petition must be presented to the district court of the judicial district in which the irrigation district was organized. "The extension of such boundaries shall not deprive the lands already in said district of an adequate supply of water for irrigation	Petition required as outlined in 85-7-1803. Court hearing required.	Part 10. May be dissolved by an order of the district court of the county in which the lands or the greater portion of the lands are situated. If incurred bonded indebtedness, petition signed by an equal number of

District	Creation Can governing body initiate?	Election on creation	Protest	Are there provisions for multi-county or multi-jurisdictional district?	Governance	Powers	Finance	Levy taxes ? (Subject to 15-10-420)	Annexation	Withdrawal of land	Dissolution
		<p>hearing and decision.</p> <p>Adjudicated Streams: Created when the owners of land and water rights (as noted in 85-7-202) petition with not less than 60% of the individual landowners representing not less than 51% of irrigable acres to be affected and 51% of the cubic feet of water per second decreed or adjudicated in the stream.</p> <p>Common water supply and subdistrict requirements differ.</p>			<p>Joint operations: Board of control appointed by the board of commissioners of the district.</p>	<p>disposing of district property, and apportionment in part 19.</p> <p>Joint operations: Board of control duties enumerated in 85-7-1612.</p>			purposes."		holders of title as required to sign the original petition for creation needed.
<p>Drainage District</p> <p>Title 85, chapter 8, part 1through part 6</p>	Created by petition.	<p>Petition signed by majority of the owners of lands in a district who represent one-third in area of the land or the owners of more than one-half of the lands who desire to construct drains or ditches.</p> <p>District court hears and determines whether or not the petition contains the proper</p>	Landowners may contest proposed district during hearing on petition for creation.	Territory in a district does not need to be contiguous.	Court or judge makes preliminary appointments to a board of commissioners. Election required for successors.	<p>Commissioners are declared to be public officers. Must examine lands in district and make a report to the court</p> <p>Emergency powers granted 85-8-368.</p>	Notes or bonds.	Part 6 outlines taxes and assessments.	<p>Alterations, additions. Commissioners may file petition with district court. At least 40% of the owners of land in district may petition. If objections are made by the owners of at least 75% in area of the lands in the district, the petition is dismissed.</p>	Land may be excluded as outlined in 85-8-406. Complaint must be filed in district court.	Owners of more than one-half of the lands in a district may present petition to the district court having jurisdiction of the district. The court enters judgement dissolving the district.

District	Creation Can governing body initiate?	Election on creation	Protest	Are there provisions for multi-county or multi-jurisdictional district?	Governance	Powers	Finance	Levy taxes ? (Subject to 15-10-420)	Annexation	Withdrawal of land	Dissolution
		signatures.									
Conservancy Districts Title 85, chapter 9, parts 1 through 6	<p>Preliminary petition must be signed by 10% of the registered voters residing in the proposed district.</p> <p>Department of Natural Resources and Conservation may hold a hearing. After hearing, a feasibility study may be requested.</p> <p>If feasibility study shows district is feasible and consistent with state water plan, the department files a petition with the district court.</p> <p>Petition must be signed by the owners of at least 51% of the land outside the limits of an incorporated municipality and not fewer than 5% or 100, whichever is less, of person who would qualify as electors.</p>	Court orders election after petition and other requirements are met.	No provisions.	Not explicit. However, districts may merge.	Court order establishes number of persons who make up board of directors.	<p>Powers are enumerated in 85-9-403-406.</p> <p>Powers to adopt rules, powers over property, and powers over finance.</p>	<p>Rates, fees, and other charges.</p> <p>May issue bonds, however 40% of the qualified electors must vote and 60% of those voting must approve the issue.</p>	<p>Yes. May assess not more than 2 mills for the purpose of meeting obligations. May make an assessment of up to 3 additional mills to pay interest and principal on bonded indebtedness.</p>	Directors petition the court. Court holds hearing and orders or denies the annexation.	<p>Petition initiated by directors or landowners. Court holds hearing and orders or denies the exclusion.</p>	<p>Dissolved by resolution, petition signed by 20% of electors representing 10% of the taxable value of property in the district or by inactivity.</p> <p>After receipt of petition or resolution, court orders an election</p>

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County Planning Title 76, chapter 1, part 1 through 6	Created by resolution that is noticed. Public hearing required.	No election.	Yes. Resolution may not be adopted if within 60 days of the public hearing if a majority of the qualified electors of the county residing outside the limits of the jurisdictional area of an existing city-county planning board oppose the resolution in writing.	"Any city, county, or town or any combination . . . wishing to be represented may, by agreement of the governing body or the bodies then represented on the board, obtain representation on the board." Joint or consolidated planning boards.	County planning board -- not less than five members City-county planning board.-- not less than nine members. City planning board -- note less than seven members.	Role of planning board enumerated in 76-1-106.	If adopt growth policy with specific requirements, planning fees may be assessed. Fee may not exceed \$50 for each residential lot or \$250 for each commercial, industrial, or other lot.	Subject to 15-10-420, the board of county commissioners may levy a tax on the taxable value of all taxable property located within the planning district for planning board purposes. (For county, county on behalf of city-county) City also may levy a tax.	Jurisdictional area of city-county planning board may be extended 4 1/2 miles from the limits of cities upon petition signed by 5% or more of the resident freeholders living in excess of 4 1/2 miles and not more than 12 miles.	No provisions.	No provisions.
County Planning and Zoning Title 76, chapter 2, part 1	Created by petition. If 60% of the affected freeholders petition, the board of county commissioners may create a planning and zoning district.	No election.	Yes. If freeholders representing 50% of the titled property ownership protest the district within 30 days of its creation, the board may not create the district or pursue creation for 1 year. There is also an appeal procedure.	No provisions.	Planning and zoning commission appointed by county commissioners. Commission consists of three commissioners, county surveyor, two citizens, and a county official appointed by county commissioners.	"In general, the planning and zoning commission shall have such powers as may be appropriate to enable it to fulfill its functions and duties to promote county planning and to carry out the purposes of this part."	No provisions.	No provisions.	"Territory that is directly adjacent to an existing planning and zoning district but that is not part of the district may be added to the district subject to the procedures provided in" Title 76, chapter 2, part 1 (76-2-117).	No provisions, but existing nonconforming uses can continue.	No provisions.
County Zoning Title 76, chapter 2, part 2	The board of county commissioners may by resolution establish zoning districts and zoning regulations for all or part of the jurisdictional area. Created by resolution that is noticed. Public	No election..	Yes. Within 30 days following the first publication of notice, written protests may be made. If 40% of the freeholders in the district whose names appear on the assessment roll or if freeholders representing 50%	No provisions.	For amending zoning regulations or classification, county commission may appoint a zoning commission composed of at least 5 citizen members appointed at large from the zoning district. Board of	Powers of board of adjustment enumerated in 76-2-223.	No provisions.	No provisions.	No provisions.	No provisions, but nonconforming uses may continue and exceptions may be determined by board of adjustment.	No provisions.

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	hearing required.		of the titled property ownership whose property is taxed for agricultural purposes or forest land protest, the county may not adopt the resolution or pursue zoning for 1 year.		adjustments appointed by county commission.						
Municipal Zoning Title 76, chapter 2, part 3	City or town council other legislative body may divide the municipality into districts. Governing body provides for manner in which regulations and restrictions and the boundaries of districts are determined.	No election.	On initial creation of district, those against it may voice protest at required hearing. A regulation, restriction, and boundary may be amended. If a protest against a change is signed by the owners of 25% or more of the area of lots or those lots 150 feet from a lot, the amendment may not be effective except upon a favorable vote of two-thirds of the present and voting members of the governing body.	Regulations may be extended beyond municipal boundaries (extraterritorial jurisdiction) under certain circumstances. Requirements outlined in 76-2-310-311.	City or town council appoints a zoning commission. Board of adjustments may be appointed	Ordinance may restrict the authority of the board. Powers enumerated in 76-2-323.	No provisions.	No provisions.	A regulation, restriction, and boundary may be amended. If a protest against a change is signed by the owners of 25% or more of the area of lots or those lots 150 feet from a lot, the amendment may not be effective except upon a favorable vote of two-thirds of the present and voting members of the governing body.	A regulation, restriction, and boundary may be amended. If a protest against a change is signed by the owners of 25% or more of the area of lots or those lots 150 feet from a lot, the amendment may not be effective except upon a favorable vote of two-thirds of the present and voting members of the governing body.	A regulation, restriction, and boundary may be amended. If a protest against a change is signed by the owners of 25% or more of the area of lots or those lots 150 feet from a lot, the amendment may not be effective except upon a favorable vote of two-thirds of the present and voting members of the governing body.
Water Conservation and Flood Control Projects Title 76, chapter 5, part 11	Yes. "Cities, towns, or counties, through there councils, boards of county commissioners, or other governing body, are hearby	No election.	No provisions	No provisions.	Governing body.	Establish water conservation and flood control projects for the protection or reclamation of property or for conservation,	Rates, fees, tolls or rent. Bonds (election requirements outlined in Title 7)	May levy an annual special assessment against all real property in the areas benefitting from such a system.	Boundaries may not be extended without the vote of a majority of the electors residing in the area proposed to be annexed.	No provisions.	No provisions.

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	empowered, either in the establishment of water conservation and flood control projects."					development, storage, distribution, drainage, and utilization of water for beneficial uses.					
Conservation Districts Title 76, chapter 15, part 1 through 8	Petition. Any 10% of the qualified electors within the proposed district may file a petition with the Department of Natural Resources and Conservation.	Department holds hearing and determines the need for the district. Referendum held to assist department in determining administrative practicality and feasibility. Department determines practicality and feasibility.	Those against formation may voice protest at hearing.	"The boundaries of the district must include the territory determined by the department, but may not include any area included within the boundaries of another conservation district."	Department appoints two supervisors who act with three elected supervisors. Election outlined in 76-15-303. If there are incorporated municipalities in the boundaries of a district, the governing body consists of 7 supervisors. If land use regulations approved by voters, board of adjustments must be established by the supervisors of a district.	Duties enumerated in 76-15-320. Land use regulations require voter approval as established in 76-15-703.	Bonds. State money. Tax levy.	May levy taxes to pay any obligation of the district and to accomplish the purposes of the chapter. Regular or special assessments. Project areas can be determined by petition for which special assessments can be levied. (Protest provisions.)	By petition. If signed by majority , no election required. In referenda, all qualified electors within the proposed additional area are eligible to vote.	Any time after 5 years after the organization of the district, 10% or more of the qualified electors in the district may file a petition with the department requesting the termination of operation of the district or part of the district. Referendum is held with all qualified electors eligible to vote. Department determines whether discontinuance of a portion is administratively practicable and feasible. The department may not determine that continued operation of all or part of the district is practicable and feasible unless at least a majority of the votes cast in the referendum are cast in favor of continuing the	Any time after 5 years after the organization of the district, 10% or more of the qualified electors in the district may file a petition with the department requesting the termination of operation of the district or part of the district. Referendum is held with all qualified electors eligible to vote. Department determines whether discontinuance of a portion is administratively practicable and feasible. The department may not determine that continued operation of all or part of the district is practicable and feasible unless at least a majority of the votes cast in the referendum are cast in favor of continuing the

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										district.	district.
Grazing Districts Title 76, chapter 16, part 1 through 4	No. Three or more persons who own or control property and are livestock operators submit a written statement to the Montana Grass Conservation Commission.	No election. Created by commission following hearing.	Creation must be feasible, beneficial and desirable to the owners of controlling more than 50% of the lands to be included in the district.	No provisions.	Board of directors of a state district.	"manage and exercise the powers of the state district subject to its bylaws and to the regulation of the commission."	Montana Grass Conservation Commission may impose fees against the state district in an amount not in excess of 10 cents per animal unit month. State district may fix and determine grazing fees on members or nonmembers for the purpose of paying leases and operating expenses.	No provisions.	A merger may not be made unless consented to by a majority of the members of each merging state district and approved by the commission after a hearing.	A subdivision may not be made unless consented to by a majority of the members in the affected area and approved by the commission after a hearing.	A district, with the written consent of three-fourths of its permitted members , may at any time request the commission to dissolve the state district.

**Unclear on findings related to Tax Increment Finance Districts, particularly as they related to Urban Renewal plans.